

AN ACT

ENTITLED, An Act to revise certain provisions concerning magistrate judge jurisdiction.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 16-12B-8 be amended to read as follows:

16-12B-8. A magistrate court with a magistrate judge presiding has concurrent jurisdiction with the circuit courts:

- (1) To accept defaults for petty offenses;
- (2) To try contested cases involving a petty offense;
- (3) To take pleas of guilty, not guilty, nolo contendere for any criminal offense; or
- (4) To take pleas of guilty, not guilty, nolo contendere for violation of any ordinance, bylaw, or other police regulation of a political subdivision;

if the punishment is a fine not exceeding two thousand dollars or imprisonment for a period not exceeding one year, or both such fine and imprisonment and to impose sentence upon a plea of guilty or nolo contendere. Acceptance of not guilty or nolo contendere pleas shall be in accordance with §§ 23A-7-2 and 23A-7-8, as applicable. A magistrate court with a magistrate judge presiding has concurrent jurisdiction with the circuit courts to try cases for all violations under § 32-22-55 that involve civil penalties, notwithstanding the amount of the civil penalty.

An Act to revise certain provisions concerning magistrate judge jurisdiction.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1085

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1085

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
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STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State